

BEFORE THE TENNESSEE REGULATORY AUTHORITY

Nashville, Tennessee

November 24, 2003

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In re: Implementation of the Federal)
 Communications Commission's) Docket No. 03-00491
 Triennial Review Order (Nine)
 Month Proceeding) (Switching))

CINERGY COMMUNICATIONS COMPANY'S
RESPONSES TO BELL SOUTH TELECOMMUNICATIONS, INC.'S
FIRST SET OF INTERROGATORIES

Pursuant to the Procedural Order provided by Director Jones on October 21, 2003, Cinergy Communications Company ("CCC") submits its Responses BellSouth Telecommunications, Inc.'s ("BellSouth") First Set of Interrogatories to Cinergy Communications Company.

Cinergy Communications Company submits responses pursuant to the objections previously filed in this docket. CCC reserves the right to supplement these objections. Should additional grounds for objections develop as the Commission identifies the issues to be addressed in this proceeding, CCC reserves the right to supplement these objections.

INTERROGATORIES

1. Identify each switch owned by Cinergy that Cinergy uses to provide a qualifying service anywhere in Tennessee, irrespective of whether the switch itself is located in the State and regardless of the type of switch (e.g., circuit switch, packet switch, soft switch, host switch, remote switch).

Answer: None

2. For each switch identified in response to Interrogatory No. 1, please:

- (a) provide the Common Language Location Identifier (“CLLI”) code of the switch;
 - (b) provide the street address, including the city and state in which the switch is located;
 - (c) identify the type of switch by manufacturer and model (e.g., Nortel DMS100);
 - (d) state the total capacity of the switch by providing the maximum number of voice-grade equivalent lines the switch is capable of serving, based on the switch’s existing configuration and component parts;
 - (e) state the number of voice-grade equivalent lines the switch is currently serving based on the switch’s existing configuration and component parts; and
- provide information relating to the switch as contained in Telcordia’s Local Exchange Routing Guide (“LERG”); or, state if the switch is not identified in the LERG.

Answer: See response to 1 above

3. Identify any other switch not previously identified in Interrogatory No. 1 that Cinergy uses to provide a qualifying service anywhere in Tennessee, irrespective of whether the switch itself is located in the State and regardless of the type of switch (e.g., circuit switch, packet switch, soft switch, host switch, remote switch). In answering this Interrogatory, do not include ILEC switches used by Cinergy either on an unbundled or resale basis.

Answer: None

4. For each switch identified in response to Interrogatory No. 3, please:
- (a) identify the person that owns the switch;
 - (b) provide the Common Language Location Identifier (“CLLI”) code of the switch;

- (c) provide the street address, including the city and state in which the switch is located;
- (d) identify the type of switch by manufacturer and model (e.g., Nortel DMS100);
- (e) describe in detail the arrangement by which you are making use of the switch, including stating whether you are leasing the switch or switching capacity on the switch;
- (f) identify all documents referring or relating to the rates, terms, and conditions of Cinergy's use of the switch; and
- (g) provide information relating to the switch as contained in Telcordia's Local Exchange Routing Guide ("LERG"); or, state if the switch is not identified in the LERG.

Answer: See response to 3 above

5. Identify by name, address, and CLLI code each ILEC wire center area, i.e., the territory served by the wire center, in which you provide qualifying service to any end user customers in Tennessee utilizing any of the switches identified in response to Interrogatory No. 1. If you assert that you cannot identify or do not know how to ascertain the boundaries of a wire center area, provide the requested information for the ILEC exchange in which your end user customer is located.

Answer: See response to 1 above

6. For each ILEC wire center area identified in the foregoing Interrogatory (or ILEC exchange if you do not provide the information by wire center area) identify the total number of voice-grade equivalent lines you are providing to end user customers in that wire center area from the switches identified in response to Interrogatory 1.

Answer: See 5 above

7. With regard to the voice-grade equivalent lines identified by ILEC wire center area (or ILEC exchange) in response to Interrogatory 6, separate the lines by end user and end user location in the following manner:
- (a) The number of end user customers to whom you provide one (1) voice-grade equivalent line;
 - (b) The number of end user customers to whom you provide two (2) voice-grade equivalent lines;
 - (c) The number of end user customers to whom you provide three (3) voice-grade equivalent lines;
 - (d) The number of end user customers to whom you provide four (4) voice-grade equivalent lines;
 - (e) The number of end user customers to whom you provide five (5) voice-grade equivalent lines;
 - (f) The number of end user customers to whom you provide six (6) voice-grade equivalent lines;
 - (g) The number of end user customers to whom you provide seven (7) voice-grade equivalent lines;
 - (h) The number of end user customers to whom you provide eight (8) voice-grade equivalent lines;
 - (i) The number of end user customers to whom you provide nine (9) voice-grade equivalent lines;

- (j) The number of end user customers to whom you provide ten (10) voice-grade equivalent lines;
- (k) The number of end user customers to whom you provide eleven (11) voice-grade equivalent lines;
- (l) The number of end user customers to whom you provide twelve (12) voice-grade equivalent lines; and
- (m) The number of end user customers to whom you provide more than twelve (12) voice-grade equivalent lines;

Answer: N/A See 6 above

8. Identify by name, address, and CLLI code each ILEC wire center area, i.e., the territory served by the wire center, in which you provide qualifying service to any end user customers in Tennessee utilizing any of the switches identified in response to Interrogatory No. 3. If you assert that you cannot identify or do not know how to ascertain the boundaries of a wire center area, provide the requested information for the ILEC exchange in which your end user is located.

Answer: N/A See 3 above

9. For each ILEC wire center area identified in the foregoing Interrogatory (or ILEC exchange if you do not provide the information by wire center area) identify the total number of voice-grade equivalent lines you are providing to end user customers in that wire center area from the switches identified in response to Interrogatory No. 3.

Answer: N/A See 3 above

10. With regard to the voice-grade equivalent lines identified by ILEC wire center area (or ILEC exchange) in response to Interrogatory 9, separate the lines by end user and end user location in the following manner:
- (a) The number of end user customers to whom you provide one (1) voice-grade equivalent line;
 - (b) The number of end user customers to whom you provide two (2) voice-grade equivalent lines;
 - (c) The number of end user customers to whom you provide three (3) voice-grade equivalent lines;
 - (d) The number of end user customers to whom you provide four (4) voice-grade equivalent lines;
 - (e) The number of end user customers to whom you provide five (5) voice-grade equivalent lines;
 - (f) The number of end user customers to whom you provide six (6) voice-grade equivalent lines;
 - (g) The number of end user customers to whom you provide seven (7) voice-grade equivalent lines;
 - (h) The number of end user customers to whom you provide eight (8) voice-grade equivalent lines;
 - (i) The number of end user customers to whom you provide nine (9) voice-grade equivalent lines;
 - (j) The number of end user customers to whom you provide ten (10) voice-grade equivalent lines;

- (k) The number of end user customers to whom you provide eleven (11) voice-grade equivalent lines;
- (l) The number of end user customers to whom you provide twelve (12) voice-grade equivalent lines; and
- (m) The number of end user customers to whom you provide more than twelve (12) voice-grade equivalent lines;

Answer: N/A See 9 above

11. Identify by name, address, and CLLI code each ILEC wire center area, i.e., the territory served by the wire center, in which you provide qualifying service to any end user customers in Tennessee using an ILEC's switch either on an unbundled or resale basis. If you assert that you cannot identify or do not know how to ascertain the boundaries of a wire center area, provide the requested information for the ILEC exchange in which your end user customer is located.

Objection: See previously filed objection

12. For each ILEC wire center area identified in the foregoing Interrogatory (or ILEC exchange if you do not provide the information by wire center area) identify the total number of voice-grade equivalent lines you are providing to end user customers in that wire center area using an ILEC's switch either on an unbundled or resale basis.

Objection: See previously filed objection

13. With regard to the voice-grade equivalent lines identified by ILEC wire center area (or ILEC exchange) in response to Interrogatory 12, separate the lines by end user and end user location in the following manner:

- (a) The number of end user customers to whom you provide one (1) voice-grade equivalent line;
- (b) The number of end user customers to whom you provide two (2) voice-grade equivalent lines;
- (c) The number of end user customers to whom you provide three (3) voice-grade equivalent lines;
- (d) The number of end user customers to whom you provide four (4) voice-grade equivalent lines;
- (e) The number of end user customers to whom you provide five (5) voice-grade equivalent lines;
- (f) The number of end user customers to whom you provide six (6) voice-grade equivalent lines;
- (g) The number of end user customers to whom you provide seven (7) voice-grade equivalent lines;
- (h) The number of end user customers to whom you provide eight (8) voice-grade equivalent lines;
- (i) The number of end user customers to whom you provide nine (9) voice-grade equivalent lines;
- (j) The number of end user customers to whom you provide ten (10) voice-grade equivalent lines;
- (k) The number of end user customers to whom you provide eleven (11) voice-grade equivalent lines;

- (l) The number of end user customers to whom you provide twelve (12) voice-grade equivalent lines; and
- (m) The number of end user customers to whom you provide more than twelve (12) voice-grade equivalent lines;

Objection: See previously filed objection

14. Do you offer to provide or do you provide switching capacity to another local exchange carrier for its use in providing qualifying service anywhere in the nine states in the BellSouth region. If the answer to this Interrogatory is in the affirmative, for each switch that you use to offer or provide such switching capacity, please:

- (a) Provide the Common Language Location Identifier (“CLLI”) code of the switch;
- (b) Provide the street address, including the city and state in which the switch is located;
- (c) Identify the type of switch by manufacturer and model (e.g., Nortel DMS100);
- (d) State the total capacity of the switch by providing the maximum number of voice-grade equivalent lines the switch is capable of serving, based on the switch’s existing configuration and component parts;
- (e) State the number of voice-grade equivalent lines the switch is currently serving based on the switch’s existing configuration and component parts; and
- (f) Identify all documents referring or relating to the rates, terms, and conditions of Cinergy’s provision of switching capability.

Answer: No

15. Identify every business case in your possession, custody or control that evaluates, discusses, analyzes or otherwise refers or relates to the offering of a qualifying service

using: (1) the Unbundled Network Element Platform (UNE-P), (2) self-provisioned switching, (3) switching obtained from a third party provider other than an ILEC, or (4) any combination of these items.

Objection: See previously filed objection

16. Identify any documents that you have provided to any of your employees or agents, or to any financial analyst, bank or other financial institution, shareholder or any other person that describes, presents, evaluates or otherwise discusses in whole or part, how you intend to offer or provide local exchange service, including but not limited to such things as the markets in which you either do participate or intend to participate, the costs of providing such service, the market share you anticipate obtaining in each market, the time horizon over which you anticipate obtaining such market share, and the average revenues you expect per customer.

Objection: See previously filed objection

17. If not identified in response to a prior Interrogatory, identify every document in your possession, custody, or control referring or relating to the financial viability of self-provisioning switching in your providing qualifying services to end user customers.

Objection: See previously filed objection

18. Do you have switches that are technically capable of providing, but are not presently being used to provide, a qualifying service in Tennessee? If the answer to this Interrogatory is in the affirmative, please:
- (a) provide the Common Language Location Identifier ("CLLI") code of the switch;
 - (b) provide the street address, including the city and state in which the switch is located;

- (c) identify the type of switch by manufacturer and model (e.g., Nortel DMS100);
- (d) state the total capacity of the switch by providing the maximum number of voice-grade equivalent lines the switch is capable of serving, based on the switch's existing configuration and component parts;
- (e) state the number of voice-grade equivalent lines the switch is currently serving based on the switch's existing configuration and component parts; and
- (f) identify any documents in your possession, custody or control that discuss, evaluate, analyze or otherwise refer or relate to whether those switches could be used to provide a qualifying service in Tennessee.

Objection: See previously filed objection.

19. Identify each MSA in Tennessee where you are currently offering a qualifying service without regard to whether you are offering the service using your own facilities, UNE-P, resale, or in some other fashion.

Objection: See previously filed objection.

20. If you offer a qualifying service outside of the MSAs identified in response to Interrogatory 19, identify those geographic areas either by describing those areas in words or by providing maps depicting the geographic areas in which you offer such service, without regard to whether you are offering the service using your own facilities, UNE-P, resale, or in some other fashion.

Objection: See previously filed objection.

21. Describe with particularity the qualifying services that you offer in the geographic areas described in response to Interrogatories 19 and 20, including the rates, terms, and conditions under which such services are offered. If the qualifying services you offer in

those areas vary by area, provide a separate statement of services offered and the rates, terms, and conditions for such services in each area. If this information is contained on a publicly available web site that clearly identifies the relevant geographic areas and identifies the relevant rates, terms and conditions for such areas, it will be a sufficient answer to identify that web site. It will not be a sufficient response if the web site requires the provision of a telephone number or series of telephone numbers in order to identify the geographic area in which you provide such service, or the rates, terms and conditions upon which service is provided.

Objection: See previously filed objection.

22. Identify each MSA in Tennessee where you are currently offering a non-qualifying service without regard to whether you are offering the service using your own facilities, UNE-P, resale, or in some other fashion.

Answer: None

23. If you offer a non-qualifying service outside of the MSAs identified in response to Interrogatory 22, identify those geographic areas either by describing those areas in words or by providing maps depicting the geographic areas in which you offer such service, without regard to whether you are offering the service using your own facilities, UNE-P, resale, or in some other fashion.

Answer: See response to 22 above

24. Describe with particularity the non-qualifying services that you offer in the geographic areas described in response to Interrogatories 22 and 23, including the rates, terms, and conditions under which such services are offered. If the non-qualifying services you offer in those areas vary by area, provide a separate statement of services offered and the

rates, terms, and conditions for such services in each area. If this information is contained on a publicly available web site that clearly identifies the relevant geographic areas and identifies the relevant rates, terms and conditions for such areas, it will be a sufficient answer to identify that web site. It will not be a sufficient response if the web site requires the provision of a telephone number or series of telephone numbers in order to identify the geographic area in which you provide such service, or the rates, terms and conditions upon which service is provided.

Answer: See 22 and 23 above.

25. Please state the total number of end users customers in the State of Tennessee to whom you only provide qualifying service.

Objection: See previously filed objection

26. For those end user customers to whom you only provide qualifying service in the State of Tennessee, please state the average monthly revenues you receive from each such end user customer.

Objection: See previously filed objection

27. For those end user customers to whom you only provide qualifying service in the State of Tennessee, please state the average number of lines that you provide each such end user customer.

Objection: Although our previous objection did not include 27, this interrogatory is directly related to interrogatory 25 and is objected to on the same grounds.

28. Please state the total number of end users customers in the State of Tennessee to whom you only provide non-qualifying service.

Answer: None

29. For those end user customers to whom you only provide non-qualifying service in the State of Tennessee, please state the average monthly revenues you receive from each such end user customer.

Answer: See 28 above

30. Please state the total number of end users customers in the State of Tennessee to whom you provide both qualifying and non-qualifying service.

Objection: See 25 above

31. For those end user customers to whom you provide qualifying and non-qualifying service in the State of Tennessee, please state the average monthly revenues you receive from each such end user customer.

Objection: See 25 above

32. For those end user customers to whom you provide qualifying and non-qualifying service in the State of Tennessee, please state the average number of lines that you provide each such end user customer.

Objection: See 25 above

33. Please provide a breakdown of the total number of end user customers served by Cinergy in Tennessee by class or type of end user customers (e.g., residential customers, small business customers, mass market customers, enterprise customers, or whatever type of classification that you use to classify your customers. For each such classification, and/or if you provide another type of classification, define and describe with specificity the classification so that it can be determined what kinds of customers you have in each classification).

Answer: Cinergy Communications has approximately 9100 business customers in Tennessee. Cinergy Communications has approximately 450 residential customers in Tennessee.

34. For each class or type of end user customer referenced in Interrogatory No. 33, please state the average acquisition cost for each such end user class or type. Please provide this information for each month from January 2000 to the present.

Objection: See previously filed objection. Further, Cinergy Communications Company states that it does not keep this type of information.

35. For each class or type of end user customer referenced in Interrogatory No. 33, please state the typical churn rate for each such end user class or type. Please provide this information for each month from January 2000 to the present.

Objection: See previously filed objection.

36. For each class or type of end user customer referenced in Interrogatory No. 33, please state the share of the local exchange market you have obtained. Please provide this information for each month from January 2000 to the present.

Answer: Unknown. Cinergy Communications does not keep records of this type of information.

37. Identify any documents in your possession, custody or control that evaluate, discuss or otherwise refer or relate to your cumulative market share of the local exchange market in Tennessee.

Answer: Cinergy Communications does not collect this data and has no records responsive to this request.

38. Identify any documents in your possession, custody or control that evaluate, discuss or otherwise refer or relate to any projections that you have made regarding your cumulative market share growth in the local exchange market in Tennessee.

Answer: None

39. Describe how the marketing organization that is responsible for marketing qualifying service in Tennessee is organized, including the organization's structure, size in terms of full time or equivalent employees including contract and temporary employees, and the physical work locations for such employees. In answering this Interrogatory, please state whether you utilize authorized sales representatives in your marketing efforts in Tennessee, and, if so, describe with particularity the nature, extent, and rates, terms, and conditions of such use.

Objection: See previously filed objection.

40. How do you determine whether you will serve an individual customer's location with multiple DSOs or whether you are going to use a DS1 or larger transmission system? Provide a detailed description of the analysis you would undertake to resolve this issue, and identify the factors that you would consider in making this type of a decision.

Objection: See previously filed objection.

41. Is there a typical or average number of DSOs at which you would chose to serve a particular customer with a DS1 or larger transmission system, all other things being equal? If so, please provide that typical or average number and explain how this number was derived.

Objection: See previously filed objection.

42. What additional equipment, if any, would be required (on the customer's side of the demarcation point rather than on network side of the demarcation point) to provide service to a customer with a DS1 rather than multiple DS0s? For instance, if a customer had 10 DS0s, and you want to provide the customer with the same functionality using a DS1, would a D-4 channel bank, or a digital PBX be required in order to provide equivalent service to the end user that has 10 DS0s? If so, please provide the average cost of the equipment that would be required to provide that functional equivalency (that is, the channel bank, or the PBX or whatever would typically be required should you decide to serve the customer with a DS1 rather than multiple DS0s.)
43. What cost of capital do you use in evaluating whether to offer a qualifying service in a particular geographic market and how is that cost of capital determined?

Objection: See previously filed objection.

44. With regard to the cost of capital you use in evaluating whether to provide a qualifying service in a particular geographic market, what are the individual components of that cost of capital, such as the debt-equity ratio, the cost of debt and the cost of equity?

Objection: See previously filed objection.

45. In determining whether to offer a qualifying service in a particular geographic market, what time period do you typically use to evaluate that offer? That is, do you use one year, five years, ten years or some other time horizon over which you evaluate the project?

Objection: CCC objects to this interrogatory on the grounds it seeks information that is unrelated to and inconsistent with the impairment analysis prescribed in the Triennial Review Order, is therefore irrelevant to the issues in the case and the analysis to be

conducted by the Authority, and is not reasonably calculated to lead to the discovery of admissible evidence. CCC also objects on the grounds the interrogatory seeks the disclosure of commercially sensitive, confidential and proprietary business information.

46. Provide your definition of sales expense as that term is used in your business.

Objection: CCC objects to this interrogatory on the grounds it seeks information that is unrelated to and inconsistent with the impairment analysis prescribed in the Triennial Review Order, is therefore irrelevant to the issues in the case and the analysis to be conducted by the Authority, and is not reasonably calculated to lead to the discovery of admissible evidence. CCC also objects on the grounds the interrogatory seeks the disclosure of commercially sensitive, confidential and proprietary business information.

47. Based on the definition of sales expense in the foregoing Interrogatory, please state how you estimate sales expense when evaluating whether to offer a qualifying service in a particular geographic market?

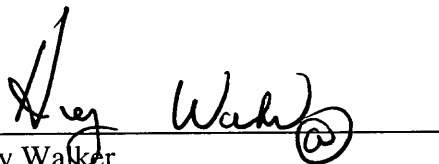
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48. Provide your definition of general and administrative (G&A) costs as you use those terms in your business.

Objection: CCC objects to this interrogatory on the grounds it seeks information that is unrelated to and inconsistent with the impairment analysis prescribed in the Triennial Review Order, is therefore irrelevant to the issues in the case and the analysis to be conducted by the Authority, and is not reasonably calculated to lead to the discovery of admissible evidence. CCC also objects on the grounds the interrogatory seeks the disclosure of commercially sensitive, confidential and proprietary business information.

49. Based on the definition of G&A costs in the foregoing Interrogatory, please state how you estimate G&A expenses when evaluating whether to offer a qualifying service in a particular geographic market?

Objection: CCC objects to this interrogatory on the grounds it seeks information that is unrelated to and inconsistent with the impairment analysis prescribed in the Triennial Review Order, is therefore irrelevant to the issues in the case and the analysis to be conducted by the Authority, and is not reasonably calculated to lead to the discovery of admissible evidence. CCC also objects on the grounds the interrogatory seeks the disclosure of commercially sensitive, confidential and proprietary business information.

A handwritten signature in black ink, appearing to read "Henry Walker", is written over a horizontal line.

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